

SPLITTING FEES WITH NONLICENSED PERSONS PROHIBITED

A licensee may not offer anything of monetary value to a nonlicensee for the purpose of inducing that person to secure prospective buyers or sellers. If there is “intent” by the licensee to compensate the nonlicensee for a referral of customers and/or the nonlicensee expects to be compensated for referring customers (either buyers or sellers), then it would appear that a violation of the *Idaho Real Estate License Law and Rules* exists.

Presentation of a relatively inexpensive “gift” to a nonlicensee in a gesture of gratitude is not prohibited if the “gift” has not been predisclosed to (and is not expected by) the nonlicensee.

IDAHO REAL ESTATE LICENSE LAW

54-2054. Compensation, Commissions and Fees-Prohibited Conduct.

Finder’s fees prohibited. Any offer of monetary value, by an Idaho licensee, to any person who is not licensed in Idaho or any state or jurisdiction, made for the purpose of inducing such unlicensed person to secure prospects to buy, sell, option, or otherwise dispose of an interest in real property shall be considered to be splitting fees with an unlicensed person, and is prohibited.